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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,883	07/23/2001	Boris Gefwert	BP102075	2318

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YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202

EXAMINER

CHEN, SHIN HON

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,883

Applicant(s)

GEFWERT, BORIS

Examiner

Shin-Hon Chen

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-12 have been examined.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 6, 8, and 11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kahn et al. PCT Publication No. WO 97/43717 (hereinafter Kahn).

3. As per claim 1 and 8, Kahn discloses a method for managing data transmission in a data network, characterized in that said method comprises the following steps, where a determined piece of information is stored in a storage location according to a predetermined address (Kahn: page 3 lines 15-32), the address information that determines said address is transmitted to the intermediary (Kahn: page 3 line 15 – page 5 line 14), information of at least one user who has the right to access said determined piece of information is transmitted to the intermediary (Kahn: page 5 lines 25 – page 6 line 6), said address information is stored in the user-specific directory of the intermediary, in which directory said at least one user has access (Kahn: page 3 lines 15-32), and said determined piece of information is transmitted to the user on the basis of said address information (Kahn: page 5 lines 15-32).

Art Unit: 2131

4. As per claim 4 and 11, Kahn discloses the method of claim 1. Kahn further discloses between the user and the intermediary directory, there is established a connection on the basis of user verification (Kahn: page 5 line 15 – page 6 line 20).

5. As per claim 6, Kahn discloses the method of claim 1. Kahn further discloses the intermediary transmit a given information to the user (Kahn: page 5 lines 4-14).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 3, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn.

8. As per claim 2 and 9, Kahn discloses the method of claims 1 and 8 respectively. Kahn does not explicitly disclose said address information is encrypted by using the user's public key, in which case the address information encryption can be decoded by the user. However, Kahn discloses that the public key cryptography is well known in the art for handling the privacy and authentication in digital network environment (Kahn: page 3 lines 10-13). Therefore, It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to communicate any secure information between two parties using public key cryptography.

9. As per claim 3 and 10, Kahn discloses the method of claims 1 and 8 respectively. Kahn does not explicitly disclose said user information is encrypted by the intermediary's public key, in which case the intermediary decodes the user information encryption and records the address information in a user-specific intermediary directory on the basis of said user information. However, Kahn discloses that the public key cryptography is well known in the art for handling the privacy and authentication in digital network environment (Kahn: page 3 lines 10-13). Therefore, It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to communicate any secure information between two parties using public key cryptography.

10. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn in view of Muralidhran et al. U.S. Pat. No. 6341351 (hereinafter Muralidhran).

11. As per claim 5 and 12, Kahn discloses the method of claims 4 and 11 respectively. Kahn as modified does not explicitly disclose there are created two intermediary directories, in which case between the user and the first intermediary directory, there is established a connection on the basis of a first verification of the user, and in between the user and the secondary intermediary directory, there is created a connection on the basis of a second verification of the user, in which case the first and second verification are mutually different as regards the reliability typical of said verification procedure. However, Muralidhran discloses different types of authentication for different level of access request. It would have been obvious to one having

Art Unit: 2131

ordinary skill in the art to apply different authentication procedure for different data access.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Muralidhran within the system of Khan because it is well known in the art to perform further authentication when the security level increases.

12. Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn in view of Downs et al. U.S. Pat. No. 6226618 (hereinafter Downs) and further in view of Shimizu et al. U.S. Pat. No. 6684198 (hereinafter Shimizu).

13. As per claim 7, Kahn discloses the method of claim 6. Kahn does not explicitly disclose the user sends the intermediary a request for receiving a given piece of information, an encryption decoding key for decoding the encryption of said given piece of information is transmitted to the user, the transmission of said encryption decoding key is registered as an indication of the reception of said document. However, Downs discloses using receiver's public key to encrypt data decryption key and send it to intermediary and intermediary decrypt it and re-encrypt it using receiver's public key and transmit the encrypted decryption key to the receiver for decryption (Downs: column 3 lines 41-55). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Downs within the system of Kahn because the it is well known in the art to provide decryption key to user after the user has been authenticated. Kahn as modified does not explicitly disclose the transmission of encryption decoding key is registered as an indication of the reception of said

Art Unit: 2131

document. However, Shimizu discloses that limitation (Shimizu: column 5 lines 6-18). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Shimizu within the combination of Kahn-Downs because it allows the intermediary to keep track of the usage and to charge users accordingly.

Response to Arguments

14. Applicant's arguments filed on 4/21/05 have been fully considered but they are not persuasive.

15. Applicant argues that the Kahn reference does not disclose storing the address information in the user-specific directory of the intermediary. However, Kahn discloses that the pointer information is accessible to authorized users and the pointer/address information is stored in a user-specific directory in a way that only authorized/specific users can access address/pointer information. Therefore, applicant's argument is respectfully traversed.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2131

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen
Examiner
Art Unit 2131

SC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100